

Message

From: Dinkins, Darlene [Dinkins.Darlene@epa.gov]
Sent: 6/23/2021 4:10:53 PM
To: Messina, Edward [Messina.Edward@epa.gov]; Goodis, Michael [Goodis.Michael@epa.gov]
Subject: FW: Slides for RDD Meeting
Attachments: RDD Meeting - Program Updates_Ed Messina_6-29-21.pptx; Session 2 OPP_OECA Updates outline.docx

Just want to make sure you got this email below since I sent it a little late yesterday.

Darlene Dinkins

Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 305-5214

From: Dinkins, Darlene
Sent: Tuesday, June 22, 2021 6:27 PM
To: Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Subject: Slides for RDD Meeting

Ed,

Here are your draft slides for the RDD meeting next week (I also attached the agenda). I used Mike's slides from his talk during the Pesticide Managers Meeting last week. I also added the language highlighted red from Shamus below. Some of her information was already included in the deck.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

You're scheduled to talk for 20 minutes, so I tried to keep it close to 20 slides (I cut out some from Mike's original deck). Let me know if you want to include it and if you have any edits, comments or suggested additions.

Darlene Dinkins

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From: Ozmen, Shamus <Ozmen.Shamus@epa.gov>
Sent: Tuesday, June 22, 2021 2:28 PM
To: Goodis, Michael <Goodis.Michael@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>
Subject: FW: OCSPP/Regional Division Directors Summer National Meeting-June 29-30: Draft Agenda + Teams

Hi Mike and Darlene,

Here are some TPs for the listed topics. Please let me know if you need anything else.

Thanks,
Shamus

Dicamba:

- In October 2020, EPA issued 5-year, time-limited registrations of dicamba for use on Dicamba Tolerant (DT) cotton and soybeans of two pesticide products, and similarly amended one existing registration based on a robust set of new data and input from, and collaboration with, state regulators, farmers, academics, pesticide manufacturers, and other stakeholders.
- All three registrations include new control measures to ensure these products can be used effectively while protecting the environment, including non-target plants, animals, and other crops not tolerant to dicamba.
- Since the 2020 registration decision, several states have tried to utilize FIFRA section 24(c) to register additional uses of over-the-top dicamba products to meet special local needs within their state.
- However, at this time, EPA has determined that there is insufficient information available to demonstrate that control measures less restrictive than the 2020 control measures are equally protective.
- EPA issued its 2020 decision after a court vacated an earlier 2018 decision, finding that EPA substantially understated the risks that it acknowledged, and that EPA entirely failed to acknowledge other risks.
- Additionally, EPA's Office of the Inspector General recently found that there was political interference in the 2018 dicamba decision and that the conclusions and concerns of career staff scientists were ignored.
- EPA's 2020 decision is supported by EPA's career scientists, and includes measures that are protective of the environment, and responsive to the previous court decision.
- EPA looks forward to continuing to work with our state partners to collect data on the effectiveness of EPA's new risk control measures that are being implemented for the first time in the 2021 growing season.

Section 18:

- Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) authorizes EPA to exempt state and federal agencies from provisions of FIFRA and allow unregistered uses of pesticides to address emergency conditions.
- EPA has authorized several emergency exemptions to help address the COVID-19 public health emergency.
- In April 2021, EPA issued emergency exemptions to Georgia, Minnesota, and Utah allowing the use of BIAxAM, a supplemental residual surface coating, in Delta Air Lines planes and facilities in those three states.
- In June 2021, EPA issued emergency exemptions for the states of Maryland, Nevada, Pennsylvania, and Texas allowing them to use Grignard Pure, an antiviral indoor air treatment. Previously, EPA issued emergency exemptions to Georgia and Tennessee allowing them to use Grignard Pure in health care facilities, intrastate transportation, food processing facilities, and indoor spaces within buildings—including government facilities—where people are conducting activity deemed essential by the state.

Ex. 5 Deliberative Process (DP)

- EPA's revocation decision reflects the evolving nature of science during emergency situations. As is the case with all emergency exemptions, EPA is committed to evolving with the science and revisiting its earlier decisions in light of new information.
- Since recent information from CDC notes that the risk of being infected with COVID-19 by touching contaminated surfaces is considered low, EPA is no longer prioritizing Public Health Emergency requests for new products that address surface transmission of SARS-CoV-2.
- EPA will continue to follow the evolving science of the pandemic by shifting resources to the evaluation of novel products, such as those that kill airborne SARS-CoV-2, and to meeting critical deadlines in the registration and review of all pesticide products within its purview.

PFAS in Pesticide Packaging: [need others to cover PFAS Proposed Rule & Requirements, PFAS Agency Workgroup]

- HQ Response

- As EPA continues to uphold its mission of protecting human health and the environment, proactively addressing PFAS remains a major priority across the Agency.
- Since first becoming aware of the issue last fall in Region 1, EPA has been working diligently to investigate the contamination, test fluorinated and non-fluorinated pesticide containers, test pesticide products, and determine conditions affecting leaching.
- EPA has been in close communication with other federal entities and a variety of stakeholders, including industry and trade organizations to raise awareness of this emerging issue and discuss expectations of product stewardship.
- The agency remains committed to using all available regulatory and non-regulatory tools to determine the scope of this emerging issue and its potential impact on human health and the environment.
- Lab Activities
 - The BEAD laboratory at Ft. Meade has taken the lead in conducting the research into this issue. Through thorough testing and a robust quality assurance and quality control process, data showed that fluorinated HDPE containers used to store and transport the pesticide product were the source of PFAS contamination.
 - Since that determination, the lab has been hard at work in testing different brands of fluorinated containers to determine whether they contain and/or leach PFAS, and if so, learn the conditions affecting leaching.
 - The lab has also been responsive to other emerging PFAS in pesticides issues across other regions, such as the PEER report on Permanone 30-30, and has been collecting pesticide samples so we can conduct our own testing.
 - I am pleased to share that the lab has also made great strides in developing a method to test for PFAS in oily matrices, which will allow other laboratories to conduct their own testing and support us as we uncover possible contamination from fluorinated containers in the market.
- PFAS Definition
 - One area that has been a challenge was harmonizing our definition of what constitutes a PFAS across the agency.
 - We worked together with our sister offices to come to a consensus about what the definition of a PFAS compound is in the context of pesticides.
 - As you know, pesticides undergo a rigorous scientific assessment process prior to registration, and we evaluate chemical-specific data to ensure that pesticides can be used safely without unreasonable adverse effects to human health and the environment.
 - We were confident in our determination that there were no pesticide active or inert ingredients with structures similar to prominent PFAS such as PFOS, GenX, and PFOA.
 - The emergence of the issue of PFAS in pesticides has caused us to further evaluate structures using the latest working definition from the Office of Pollution Prevention and Toxics or OPPT.
 - OPPT's working definition when identifying PFAS on the TSCA Inventory is a structure that contains the unit R-CF₂-CF(R')(R''), where R, R', and R'' do not equal "H" and the carbon-carbon bond is saturated (note: branching, heteroatoms, and cyclic structures are included).
 - Under FIFRA Section 6(a)(2), pesticide registrants should report to EPA additional factual information on unreasonable adverse effects, including metabolites, degradates, and impurities (such as PFAS).
 - EPA considers any level of PFAS to be potentially toxicologically significant and may trigger 159.179(b) in the Code of Federal Regulations (CFR).
- Next Steps

- We will continue to keep you informed on this issue and share any information expeditiously. We are actively communicating with state and regional partners and their laboratories.
- We encourage you to reach out to us if you are interested in providing laboratory support or have information that can help us as we continue our investigation.
- We appreciate all the help and interest from the several regions that have been affected and are pleased to collaborate on uncovering the many layers to this issue.

Chlorpyrifos: [desk statement]

- EPA intends to act in accordance with the Court's April 29th decision and is determining its next steps, which could include revoking or modifying some or all tolerances and cancelling some or all food uses. As the agency pursues its mission to protect human health, including that of children, and the environment, EPA is committed to helping to support and protect farmworkers and their families while making certain that pesticides are used appropriately among the nation's agriculture. EPA will ensure sound science leads the decision-making process under federal pesticide laws.

From: Messina, Edward <Messina.Edward@epa.gov>

Sent: Monday, June 21, 2021 11:45 AM

To: Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Cc: Layne, Arnold <Layne.Arnold@epa.gov>; Carlisle, Sharon <Carlisle.Sharon@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Layne, Arnold <Layne.Arnold@epa.gov>; Matuszko, Jan <Matuszko.Jan@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Pease, Anita <Pease.Anita@epa.gov>; Reaves, Elissa <Reaves.Elissa@epa.gov>; Smith, Charles <Smith.Charles@epa.gov>; Vogel, Dana <Vogel.Dana@epa.gov>; Ozmen, Shamus <Ozmen.Shamus@epa.gov>; OPP Deputy & Associate Directors <OPP_Deputy_&_Associate_Directors@epa.gov>

Subject: FW: OCSPP/Regional Division Directors Summer National Meeting-June 29-30: Draft Agenda + Teams

Looks like I am on the agenda for the RDD meeting for next week to talk about Registration review and PFAS. Could use some TPs and/or Desk Statements.

- OPP
 - Registration Review Updates
 - Specific Chemical Updates
 - Chlorpyrifos
 - Dicamba
 - Section 18

Objective: Multi-Program PFAS Update

- Case study- Region 1
- HQ Response
 - Lab Activities
 - PFAS Agency Workgroup
 - PFAS Definition
 - PFAS Proposed Rule & Requirements
- Next steps

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From: Garcia, Beth <garcia.beth@epa.gov>

Sent: Monday, June 21, 2021 11:21 AM

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Subject: OCSPP/Regional Division Directors Summer National Meeting-June 29-30: Draft Agenda + Teams

Greetings:

Here's the draft agenda for the OCSPP/RDD Summer National Meeting on June 29-30, 2021. I anticipate the agenda will be updated as I receive additional feedback from session leaders.

To see the agenda and meeting materials in real time, check out the [Team site](#), click on the General tab and then Files to see the [Agenda](#) or click on session tabs. If you need access to the Teams site, please send a request and I'll approve it.

Please let me know if you have any questions.

Sincerely,

Beth



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